



CITY COUNCIL

Committee of the Whole

Monday, September 24, 2007

Agenda

5:00p.m.

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|-------------|--|------------------|
| I. | Earl Estate Dissolution | 5:00 p.m. |
| II. | Amendment to Zoning Ordinance | 5:30 p.m. |
| | - Review | |
| III. | Drug Forfeiture Money | 6:00 p.m. |
| | - Next Steps | |
| IV. | Amendment to Housing Permit Ordinance | 6:20 p.m. |
| V. | Agenda Review | |

BILL NO. _____
AN ORDINANCE

AN ORDINANCE AMENDING AND CORRECTING THE ZONING ORDINANCE,
CHAPTER 27 OF THE CITY OF READING CODIFIED ORDINANCES

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Amending and correcting the Zoning Ordinance, Chapter 27 of the City of Reading Codified Ordinances as follows:

1. Correcting the typographical error in 27-301 6 C

One copy shall be conspicuously posted by the applicant on the premises. No person ~~shall~~ **shall** perform building operations of any kind unless a zoning permit is being displayed as required by this Chapter.

2. Adding the following definitions to Section 27-2202:

NIGHTCLUB — a commercial establishment dispensing alcoholic or nonalcoholic beverages for consumption on the premises and in which dancing or other entertainment is provided on a regular basis.

GROUP CARE FACILITY – a transitional, temporary home in which unrelated children or adults receive assistance with emotional, mental, physiological or behavioral difficulties that will provide them with the ability to become productive members of society and integrate into successful independent living.

RESIDENTIAL CARE FACILITY - means a building or structure which is used or maintained to provide for on a twenty-four hour basis, a place of residence for individuals with emotional, mental, physiological or behavioral difficulties that interfere with their ability to function independently but do not require hospital or nursing home care on a daily basis but could require other assistance in activities of daily living.

NEIGHBORHOOD PRESERVATION OVERLAY ZONE – a zone that encourages a low density residential environment for the traditional family housing comprised of related individuals and restricts all rental housing, single family and multi units, limiting activities of a commercial nature, and restricting activities that are not compatible with activities associated with traditional low density family neighborhoods.

3. Amending Section 27-2202 by correcting the following typographical errors:

ENTERTAINMENT, ACCESSORY USE – live, simulated or recorded musical and/or theatrical performances, which are accessory to the primary use.

ENTERTAINMENT, PRIMARY USE – live, simulated or recorded musical and/or theatrical performances, which are the primary function and purpose of the premises. Primary use entertainment shall be limited to nightclubs, theaters and cinemas.

4. Amending Section 27-1304. Prohibited Fences, Walls, Materials or Similar Structures as follows.

§27-1304. Prohibited Fences, Walls, Materials or Similar Structures.

The following fences, walls, similar structures or fencing and wall materials shall be prohibited:

A. Barbed wire.

(1) When the fence, wall or similar structure is located in any residential zone, associated with a residential use, or abuts a residential property; is located in the C-N, R-O, and R-PO zones; or is located in a front yard area or abuts a street (as defined in Part 2 of the City of Reading Subdivision and Land Development Ordinance [Chapter 22]) in the C-C and C-R zones.

(2) The use of barbed wire on fences enclosing private swimming associations may be permitted by the Zoning Hearing Board

5. Amending Section 27-1302 Maximum Height by adding a new B relating to the height of fences surrounding private swimming associations as follows:

§27-1302. Maximum Height.

Fences, walls or similar structures exclusive of ornamentation shall not exceed 6 feet in height in any zone except the manufacturing districts. Ornamentation shall not consist of any continuous feature that effectively extends the overall height of the fence or wall.

A. Fences in manufacturing districts shall not exceed 8 feet in height if the property on which the fence is to be located immediately abuts a residential zone or a residential use.

B. Fences used to enclose private swimming associations located in residential zones shall not exceed 9 feet in height. The use of barbed wire on fences enclosing private swimming associations may be permitted by the Zoning Hearing Board

6. Amending Section 27-1712 B – Exempt Signs by correcting the following typographical error:

§27-1712. Exempt Signs.

The following signs are exempted from all the provisions of this Chapter, except regulations pertaining to construction and safety.

B. Public Signs. Signs of a public, noncommercial nature, which shall include safety signs, danger signs, no trespassing signs, signs indicating scenic or historical points of interest and all signs erected by a public officer in the performance of a public duty.

7. Adding the term “Nightclub” to Section 27-1203 (8) - Conditions for Conditional Use so it will read through out the section “taverns, bars, pubs and nightclubs”.
8. Applying the Neighborhood Preservation Overlay Zone in all areas designated as R 1, R 1 A, and R2 in the City of Reading.
9. Amending Section 27-1203 Conditions for Conditional Use, (7) Residential Care Facility.

7. Residential Care & Group Home Facility. Residential Care and Group Home facilities may be permitted in the R-3 and CR zoning districts as a ~~special exception~~ **Conditional Use**, provided that the following standards are met along with any other requirements deemed necessary by City Council ~~the Zoning Hearing Board~~. ~~Group care facilities shall be permitted in the R-2 and C-R zoning districts by special exception Conditional Use.~~

A. The following standards shall apply to ~~be for~~ all Residential Care and Group Home facilities:

- (1) A site plan and architectural plans, drawn to scale, shall be submitted. These plans shall show the location and dimensions of off-street parking, private entrances, walkways, landscaping, the dimensions and square footage of each room and storage space and shall indicate the intended use of each room.
- (3) No Residential or Group Home Facility shall have more than 2 residents per bedroom at any given time, not including live in supervisors.
- (4) The only physical changes to any ~~the~~ dwelling shall be those required by law. When the use is abandoned, any subsequent use shall conform to permitted uses in that zoning district.
- (5) No Residential Care or Group Home Facility shall be located within 800 feet of another Residential Care or Group Home facility, group institution, park, school, day care home, or day care center.
- (6) One off-street parking space shall be provided per employee computed on the basis of the estimated maximum number of employees at any one time, plus one space for each four patient/client beds.
- (7) The premises at which the Residential Care Facility or Group Home Facility is located shall be owned or leased by the social service agency sponsoring the group care facility.
- (8) The sponsoring social service agency shall document to the Zoning Administrator that all building, fire, plumbing, heating, electrical and similar systems meet the standards set by the City and by the Commonwealth of Pennsylvania.

- (9) The only physical changes to the dwelling shall be those required by law. When the use is abandoned, any subsequent use shall conform to permitted uses in that zoning district.
- (10) All utilities must meet current trades and zoning standards.
- (11) Every bedroom shall be at least 70 square feet of floor area and there shall be no more than two occupants per bedroom.
- (12) No basement or cellar shall be used as a habitable bedroom except by special approval by the building inspector and variance by the Zoning Hearing Board.
- (13) The owner or property manager must comply with all provisions set out in the Property Maintenance Code.

B. The following standards, **in addition to those set out in Part A above**, shall apply to all Group Home Facilities ~~or homes~~

- (1) **Group Home Facilities**, by design and intent, shall **only** provide for the temporary needs of transient residents.
- (2) No group care facility shall have more than **2 residents per bedroom** ~~10 residents~~ at any given time, not including live in supervisors.
- (3) No more than two live-in supervisors shall reside in the **Group Home Facility**.
- (4) Although live-in supervision is not required, the sponsoring social service agency shall document to the **City Council Board** that the agency shall provide the residents of the **Group Home Facility** with the physical safety and the emotional support they require. Because residents of a **Group Home Facility** are likely to be suffering from personal crises, some form of immediate contact with a counselor should be available at all hours, **if live-in supervision is not provided**. Likewise, immediate contact with sponsoring social service agency should be available to members of the public who may be in need of the services of the **Group Home Facility**.
- ~~(6) The following standards are for all group care institutions.~~

C. The following standards, in addition to those set out in Part A above, are for all Residential Care Facilities:

- (1) The **Residential Care Facility** ~~group institution~~, by design and intent, shall provide for the long term needs of its residents and shall not accommodate the needs of transient individuals.
- (2) A licensed physician, psychologist, counselor or social worker in the employ of or under contract to the social service agency shall be responsible for the assignment of residents to the **Residential Care Facility** ~~group institution~~.
- (3) At least one supervisor shall be **either present or** on call during all hours during which any resident of the **Residential Care Facility**

~~group institution~~ is on the premises, depending on the condition and need of the resident.

(4) No Residential Care Facility shall have more than 2 residents per bedroom~~10 residents~~ at any given time, not including live in supervisors

10. Repealing Section 27-1009 Vending Machines, due to the enactment of the Sidewalk Vendor Ordinance.

SECTION 2. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION 3. This Ordinance shall become effective immediately.

Enacted by Council _____, 2007

President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____